

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

Jeremy Williams, et al.,

*Defendants.*

**Protective Order**

**22 Cr. 641 (PMH)**

Upon the application of the United States of America, with the consent of the undersigned counsel, and the defendants having requested discovery under Fed. R. Crim. P. 16, the Court hereby finds and orders as follows:

**Categories**

1. **Disclosure Material.** The Government will make disclosure to the defendants of documents, objects and information, including electronically stored information (“ESI”), pursuant to Federal Rules of Criminal Procedure 16 and 26.2, 18 U.S.C. §3500, and the Government’s general obligation to produce exculpatory and impeachment material in criminal cases, all of which will be referred to herein as “Disclosure Material.” The Government’s Disclosure Material may include material that (i) affects the privacy, confidentiality and business interests of individuals and entities; (ii) would impede, if prematurely disclosed, the Government’s ongoing investigation of uncharged individuals; (iii) would risk prejudicial pretrial publicity if publicly disseminated; (iv) may be produced with more limited redactions than would otherwise be necessary; and (v) that is not authorized to be disclosed to the public or disclosed beyond that which is necessary for the defense of this criminal case.

2. **Sealed Material.** Certain of the Government's Disclosure Material, referred to herein as "Sealed Material," contains information that identifies, or could lead to the identification of, witnesses absent the protective considerations set forth herein.

3. **Attorney's Possession Only ("APO") Material.** Certain materials in this case raise a particular risk of affecting the identity of victims or witnesses, or the confidentiality of ongoing investigations. Disclosure Material produced by the Government to defendants or their counsel that includes a Bates or other label stating "Attorney's Possession Only" or "APO" shall be deemed "APO Material." Any material designated as APO Material shall also be deemed Sealed Material.

NOW, THEREFORE, FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED:

**Disclosure and Treatment**

4. Disclosure Material shall not be disclosed by the defendants or defense counsel, including any successor counsel ("the defense") other than as set forth herein, and shall be used by the defense solely for purposes of defending this action. The defense shall not post any Disclosure Material on any Internet site or network site, including any social media site such as Facebook or Twitter, to which persons other than the parties hereto have access, and shall not disclose any Disclosure Material to the media.

5. Sealed Material may be disclosed by defense counsel:

- a. to the defendants;
- b. to personnel for whose conduct defense counsel is responsible, *i.e.*, personnel employed by or retained by counsel, as needed for purposes of defending this action;
- c. to prospective witnesses for purposes of defending this action; and

d. in any motion before the Court if the Sealed Material is pertinent to that motion, and that motion should initially be filed under seal, absent consent of the Government or Order of the Court.

6. APO Material received by defense counsel shall be maintained in a safe and secure manner by defense counsel and any personnel for whose conduct defense counsel is responsible; shall not be possessed by the defendants, except in the presence of the defendant's counsel and any personnel for whose conduct defense counsel is responsible; and shall not be disclosed in any form by the defendants, their counsel, or any personnel for whose conduct defense counsel is responsible except as set forth herein.

#### **Other Provisions**

7. This Order does not prevent the disclosure of any Disclosure Material in any hearing or trial held in this action, or to any judge or magistrate judge, for purposes of this action. All filings should comply with the privacy protection provisions of Fed. R. Crim. P. 49.1 and the above provisions referencing sealing of certain Disclosure Material.

8. The Government's designation of material will be controlling absent contrary order of the Court. However, the Government may authorize, in writing, disclosure of Disclosure Material beyond that otherwise permitted by this Order without further Order of this Court.

9. The defense shall provide a copy of this Order to prospective witnesses and persons retained by counsel to whom the defense has disclosed Disclosure Material. All such persons shall be subject to the terms of this Order. Defense counsel shall maintain a record of what information has been disclosed to which such persons.

10. Except for Disclosure Material that has been made part of the record of this case, the defense shall return to the Government or securely destroy or delete all Disclosure Material, including any ESI, within 30 days of the expiration of the period for direct appeal from any verdict in the above-captioned case; the period of direct appeal from any order dismissing any of the charges in the above-captioned case; and the granting of any motion made on behalf of the Government dismissing any charges in the above-captioned case, whichever date is later, subject to defense counsel's obligation to retain client files under the Rules of Professional Conduct. If Disclosure Material is provided to any personnel for whose conduct defense counsel is responsible or prospective witnesses, defense counsel shall make reasonable efforts to seek the return or destruction of such materials.

11. Disclosure Material may not be shared with any named defendant who has not yet been apprehended in this action or any such defendant's counsel.

12. The Government has advised that information that may be subject to disclosure in this case may be contained within ESI that the Government has seized, pursuant to warrants issued during the course of the investigation, from various computers, cell phones, and other devices and storage media. This ESI was seized from accounts and mediums belonging to the defendants in the above-captioned case as well as in *United States v. Kashad Sampson, et al.*, 22 Cr. 640 (KMK). Upon consent of all counsel in both the above-captioned case and in *United States v. Kashad Sampson, et al.*, 22 Cr. 640 (KMK), the Government is authorized to disclose to defense counsel in both cases the entirety of such seized ESI, which shall be deemed Sealed Material unless otherwise designated.

13. This Order places no restriction on a defendant's use or disclosure of ESI or other Disclosure Material that originally belonged to the defendant.

14. Julie de Almeida, Esq., the court-appointed Coordinating Discovery Attorney ("CDA"), may disclose, make copies of, or reveal the contents of sensitive materials to defense counsel and to employees who are assisting in the preparation and dissemination of such materials, and to third party vendors she may deem necessary to retain to process the discovery she receives, all in furtherance of fulfilling her duties and obligations under this Court's December 19, 2022 Order appointing Julie de Almeida as CDA. Julie de Almeida shall serve this Protective Order upon any such attorney, employee or vendor, instructing them that they are bound by its terms, and she shall instruct such other persons that further disclosure is prohibited.

**Retention of Jurisdiction**

15. The provisions of this order shall not terminate at the conclusion of this criminal prosecution and the Court will retain jurisdiction to enforce this Order following termination of the case.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS  
United States Attorney

by:   
Jennifer N. Ong  
Ryan W. Allison  
Nicholas S. Bradley  
Assistant United States Attorneys

Date: December 20, 2022

\_\_\_\_\_  
James Bell  
Counsel for Jeremy Williams

Date: \_\_\_\_\_

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Matthew Kluger  
Counsel for Randy Jones

Date: \_\_\_\_\_

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John Diaz  
Corey Garcia  
Counsel for James White

Date: \_\_\_\_\_

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Jesse Siegel  
Counsel for Paul Ayala

Date: \_\_\_\_\_

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Donna Newman  
Counsel for Messiah Jackson

Date: \_\_\_\_\_

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Daniel Hochheiser  
Counsel for Justice Jackson

Date: \_\_\_\_\_

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John Wallenstein  
Counsel for Octavious Griffin

Date: \_\_\_\_\_

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Ezra Spilke  
Counsel for Markell Williams

Date: \_\_\_\_\_

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Deveraux Cannick  
Counsel for Tyrell Simon

Date: \_\_\_\_\_

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John Burke  
Counsel for Joshua Hendrick

Date: \_\_\_\_\_

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Samuel Braverman  
Counsel for Elijah Briggs

Date: \_\_\_\_\_

\_\_\_\_\_  
Karloff Commissiong  
Counsel for Shamel Williams

Date: \_\_\_\_\_

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\_\_\_\_\_  
Thomas Dunn  
Counsel for Thomas Rodriguez

Date: \_\_\_\_\_

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Avraham Moskowitz  
Counsel for Marcus Cardona

SO ORDERED:

Dated: White Plains, New York  
January 19, 2023



\_\_\_\_\_  
THE HONORABLE PHILIP M. HALPERN  
UNITED STATES DISTRICT JUDGE

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DAMIAN WILLIAMS  
United States Attorney

by:   
Jennifer N. Ong  
Ryan W. Allison  
Nicholas S. Bradley  
Assistant United States Attorneys

Date: December 20, 2022

  
James Bell  
Counsel for Jeremy Williams

Date: January 17, 2023

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Matthew Kluger  
Counsel for Randy Jones

Date: \_\_\_\_\_

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John Diaz  
Corey Garcia  
Counsel for James White

Date: \_\_\_\_\_

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Jesse Siegel

Date: \_\_\_\_\_

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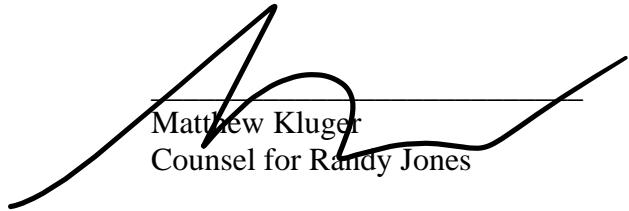
DAMIAN WILLIAMS  
United States Attorney

by:   
Jennifer N. Ong  
Ryan W. Allison  
Nicholas S. Bradley  
Assistant United States Attorneys

Date: December 20, 2022

James Bell  
Counsel for Jeremy Williams

Date: \_\_\_\_\_

  
Matthew Kluger  
Counsel for Randy Jones

Date: January 8, 2023

John Diaz  
Corey Garcia  
Counsel for James White

Date: \_\_\_\_\_

  
Jesse Siegel  
Counsel for Paul Ayala

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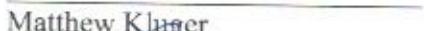
by: 

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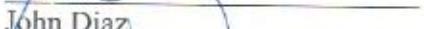
Date: December 20, 2022

  
James Bell  
Counsel for Jeremy Williams

Date: \_\_\_\_\_

  
Matthew Kluger  
Counsel for Randy Jones

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John Diaz  
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Counsel for James White

Date: 1/17/23

  
Jesse Siegel  
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Date: December 20, 2022

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Jesse Siegel  
Counsel for Paul Ayala

Date: 1/18/23

Donna Newman  
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Counsel for Messiah Jackson

Date: 1/12/2023

Daniel Hochheiser  
Daniel Hochheiser  
Counsel for Justice Jackson

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John Wallenstein  
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Counsel for Octavious Griffin

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Ezra Spilke  
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Counsel for Elijah Briggs

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Counsel for Shamel Williams

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Donna Newman  
Counsel for Messiah Jackson

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Daniel Hochheiser  
Counsel for Justice Jackson

Date: 01/05/2023

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John Wallenstein  
Counsel for Octavious Griffin

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*John S. Wallenstein*  
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John Wallenstein  
Counsel for Octavious Griffin

Date: January 10, 2023 \_\_\_\_\_

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Ezra Spilke  
Counsel for Markell Williams

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Date: \_\_\_\_\_

*Ezra Spilke*  
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Ezra Spilke  
Counsel for Markell Williams

Date: 1/10/2023 \_\_\_\_\_

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Counsel for Joshua Hendrick

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Counsel for Shamel Williams

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Counsel for Tyrell Simon

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John Burke  
Counsel for Joshua Hendrick

*s/ Sam Braverman*  
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Samuel Braverman

Date: \_\_\_\_\_

Date: 1/10/2023

\_\_\_\_\_  
Counsel for Elijah Briggs

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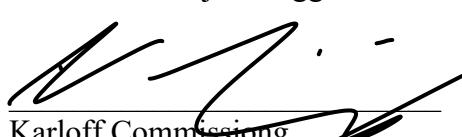
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Counsel for Elijah Briggs

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\_\_\_\_\_  
Karloff Commission  
Counsel for Shamel Williams

Date: January 18, 2023

  
Thomas Dunn  
Counsel for Thomas Rodriguez

Date: 1/10/2023

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Avraham Moskowitz  
Counsel for Marcus Cardona

Date: \_\_\_\_\_

SO ORDERED:

Dated: White Plains, New York  
January \_\_\_, 2023

THE HONORABLE PHILIP M. HALPERN  
UNITED STATES DISTRICT JUDGE

\_\_\_\_\_  
Thomas Dunn  
Counsel for Thomas Rodriguez

A. Moskowitz  
\_\_\_\_\_  
Avraham Moskowitz  
Counsel for Marcus Cardona

Date: \_\_\_\_\_

Date: 1/10/23

SO ORDERED:

Dated: White Plains, New York  
January \_\_\_, 2023

THE HONORABLE PHILIP M. HALPERN  
UNITED STATES DISTRICT JUDGE